

Ch 17: Evidence of character: evidence of character in civil cases

Evidence of the disposition of the parties towards bad conduct

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Where the judge permits a party to adduce evidence of different allegations with similar facts in order to show that a person has a 'propensity' towards a particular type of bad conduct, the principle laid down by the Supreme Court in *R v Mitchell* [2017] AC 571 applies in civil cases, including family cases, as it does in criminal cases, subject to the standard of proof being the civil standard. Under the principle, what needs to be proved by the party is the issue of the person's propensity, not each specific allegation. See *R v P (Children: Similar Fact Evidence)* [2020] 4 WLR 132, CA.